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10 Attorneys for Plaintiff
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12 IN THE UNITED STATES DISTRICT COURT

13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 ANTONIO TINAJERO-CARDENAS,

18 Defendant.

19 CASE NO. 1:99-CR-05257-AWI

20 MOTION TO DISMISS INDICTMENT;
21 ORDER

22 The United States of America (“the government”), by and through Benjamin B. Wagner, United
23 States Attorney and Mia A. Giacomazzi, Assistant United States Attorney, hereby moves this Court for
24 permission to dismiss without prejudice the indictment in the in Case No. 1:99-CR-05257-AWI.

25 Good cause exists to dismiss without prejudice the indictment in the interest of justice, and
26 pursuant to Fed. R. Crim. P. 48(a), for the following reasons: This action has remained pending without
27 activity for over ten years. Because of the long period of non-activity, this case is presumed to be no
28 longer viable. Additionally, the gravity of the offense does not justify continued efforts to prosecute.
For these reasons, the government moves for dismissal of the indictment against the defendant.

29 Dated: June 5, 2015.

30 BENJAMIN B. WAGNER
31 United States Attorney

32 /s/ Mia A. Giacomazzi
33 MIA A. GIACOMAZZI
34 Assistant United States Attorney

ORDER

On the basis of good cause, to serve the interest of justice, pursuant to the government's motion and Fed. R. Crim. P. 48(a), the indictment in Case Number 1:99-CR-05257-AWI shall be DISMISSED without prejudice. The clerk of court is directed to close this case.

IT IS SO ORDERED.

Dated: June 5, 2015


SENIOR DISTRICT JUDGE

~~SENIOR DISTRICT JUDGE~~